

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ABEL LINARES,

Defendant.

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8:05CR252

ORDER

At the initial appearance and arraignment of the defendant on July 20, 2005, the defendant requested an extension of time to file pretrial motions. For good cause shown, I find that the oral motion should be granted. The defendant will be given the requested approximate 14-day extension. Pretrial Motions shall be filed by August 23, 2005.

**IT IS ORDERED:**

1. Defendant's ORAL MOTION FOR EXTENSION OF TIME FOR FILING PRETRIAL MOTIONS is granted. Pretrial motions shall be filed on or before **August 23, 2005**.

2. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., **the time between August 9, 2005 and August 23, 2005**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel required additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

**DATED July 20, 2005.**

**BY THE COURT:**

**s/ F.A. Gossett**  
**United States Magistrate Judge**